



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Pakola *et al.*  
Serial No.: 10/729,475  
Filing Date: December 5, 2003  
Docket No.: 113476.122US1  
Title: Pharmacological Vitreolysis

Art Unit: 1651  
Examiner: Not Yet Assigned  
Conf. No.: 3082  
Cust. No.: 23483

**CERTIFICATION UNDER 37 C.F.R. § 1.10**

I hereby certify that this correspondence is being deposited with the United States Postal Service as "Express Mail Post Office to Addressee" Service under 37 C.F.R. § 1.10 on the date indicated below and is addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

EV507045447US

Express Mail No.

1/14/2005  
Date of Deposit

Brenda Robles  
Brenda Robles

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION**  
**FILED UNDER 37 C.F.R. § 1.53(b)**

Dear Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application, mailed September 15, 2004, Applicants submit the following documents for filing in the above-referenced patent application:

1. Notice to File Missing Parts of Nonprovisional Application mailed September 15, 2004;
2. Executed Declaration and Power of Attorney;
3. Payment of \$65.00 Late Declaration Surcharge;
4. Statement Under 37 C.F.R. § 1.821-1.825;
5. Written copy of substitute Sequence Listing;
6. Diskette copy of substitute Sequence Listing; and

7. Request for Two-Month Extension of Time.

Applicants petition for a two-month extension of time to respond to the Notice to File Missing Parts in the instant application.

The surcharge fee of \$65.00 pursuant to 37 C.F.R. §1.16(e), the fee for the two-month extension of time to respond to the Notice to File Missing Parts of \$225.00, and any additional fees that might be due should be charged to Deposit Account No. 08-0219.

If there are any questions, please call the undersigned at the telephone number indicated below.

Respectfully submitted,

Date: January 14, 2005  
WILMER CUTLER PICKERING  
HALE AND DORR LLP  
60 State Street  
Boston, MA 02109  
(617) 526-6000  
(617) 526-5000 (Facsimile)

Alison E. Coking Reg. # 52,770 fa  
Hollie L. Baker  
Reg. No. 31,321  
Attorney/Agent for Applicants



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*Brenda A. Robles*  
Brenda Robles

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

TRANSMITTAL LETTER

Dear Sir:

Enclosed for filing in the above-identified patent application are the following documents:

- 1) Response to Notice to File Missing Parts of Nonprovisional Application including:
  - (a) Notice to File Missing Parts of Nonprovisional Application mailed September 15, 2004;
  - (b) Executed Declaration and Power of Attorney;
  - (c) Payment of \$65.00 Late Declaration Surcharge;
  - (d) Statement Under 37 C.F.R. § 1.821-1.825;
  - (e) Written copy of substitute Sequence Listing;
  - (f) Diskette copy of substitute Sequence Listing;
  - (g) Request for Two-Month Extension of Time;

- 2) Preliminary Amendment;
- 3) Submission of Priority Document;
- 4) Information Disclosure Statement including:
  - (a) Form PTO-1449;
  - (b) References as cited (33);
  - (c) International Search Report from Patent Cooperation Treaty No. PCT/US03/38714; and
- 5) Return postcard.

Please charge all fees due in connection with this matter, or credit any overpayment to Deposit Account No. 08-0219. If there are any questions, please call the undersigned at the telephone number indicated below.

Respectfully submitted,

Date: January 14, 2005  
WILMER CUTLER PICKERING  
HALE AND DORR LLP  
60 State Street  
Boston, MA 02109  
(617) 526-6110  
(617) 526-5000 (Facsimile)

Alison E. Corkery <sup>Reg #</sup> 52,770 for  
Hollie L. Baker  
Reg. No. 31,321  
Attorney/Agent for Applicants

1-18-05

IFC



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/729,475	12/05/2003	Steve Pakola	113476.122

23483

WILMER CUTLER PICKERING HALE AND DORR LLP  
 60 STATE STREET  
 BOSTON, MA 02109



CONFIRMATION NO. 3082

## FORMALITIES LETTER



\*OC000000013802620\*

Date Mailed: 09/15/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, include no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

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 00000004 080219  
 01/21/2005 MBLANCO  
 65.00 DA  
 01 FC:2051

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is \$65 for a Small Entity

- \$65 Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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*A copy of this notice **MUST** be returned with the reply.*

BH  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE